



City of Santa Clara

Meeting Minutes

Planning Commission

08/25/2021

6:00 PM

Virtual Meeting

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, the City of Santa Clara has implemented methods for the public to participate remotely:

- Via Zoom:
 - o <https://santaclaraca.zoom.us/j/91729202898>
 - Webinar ID: 917 2920 2898 or
 - o Phone: 1(669) 900-6833
- Via the City's eComment (available during the meeting)

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Public Comments prior to meeting may be submitted via email to PlanningPublicComment@SantaClaraCA.gov no later than noon on the day of the meeting; and also before and during the meeting via eComment. Clearly indicate the project address, meeting body, and meeting date in the email.

PUBLIC PARTICIPATION IN ZOOM WEBINAR: Please follow the guidelines below when participating in a Zoom Webinar:

- The meeting will be recorded so you must choose 'continue' to accept and stay in the meeting.
- If there is an option to change the phone number to your name when you enter the meeting, please do so as your name will be visible online and will be used to notify you that it is your turn to speak.
- Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
- Use the raise your hand feature in Zoom when you would like to speak on an item and lower when finished speaking. Press *9 to raise your hand if you are calling in by phone only.
- Identify yourself by name before speaking on an item.
- Unmute when called on to speak and mute when done speaking. If there is background noise coming from a participant, they will be muted by the host. Press *6 if you are participating by phone to unmute.
- If you no longer wish to stay in the meeting once your item has been heard, please exit the meeting.

6:00 PM REGULAR MEETING

Call to Order

Chair Biagini called the meeting to order at 6:05 p.m.

Pledge of Allegiance and Statement of Values**Roll Call**

Present 6 - Chair Nancy A. Biagini, Commissioner Ricci Herro, Commissioner Qian Huang, Commissioner Yuki Ikezi, Commissioner Lance Saleme, and Commissioner Yashraj Bhatnagar

Absent 1 - Vice Chair Priya Cherukuru

A motion was made by Commissioner Saleme, seconded by Commissioner Herro to excuse Commissioner Cherukuru's absence.

Aye: 6 - Chair Biagini, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Excused: 1 - Vice Chair Cherukuru

DECLARATION OF COMMISSION PROCEDURES

Chair Biagini thanked the Commission for electing her as Chair and stated that she hoped the Commission would uphold the same guidelines regarding limiting Commissioner questions and continue to have a goal of the meeting end time be no later than 10 p.m.. **Chair Biagini** read the Declaration of Commission Procedures.

CONTINUANCES/EXCEPTIONS

None.

CONSENT CALENDAR

A motion was made by Commissioner Herro, seconded by Commissioner Saleme to approve all items on the consent calendar.

Aye: 6 - Chair Biagini, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Excused: 1 - Vice Chair Cherukuru

1.A [21-1005](#) Planning Commission Meeting Minutes of July 12, 2021 Special Meeting

Recommendation: Approve the Planning Commission Minutes of the July 12, 2021 Special Meeting

1.B [21-166](#) Action on Use Permit for ABC License Type 41 for Taqueria La Veracruzana restaurant at 1205 El Camino Real

Recommendation: Adopt a resolution approving a Use Permit for the sale and consumption of alcohol (ABC License Type 41) in an existing Taqueria La Veracruzana located at 1205 El Camino Real, subject to conditions of approval.

1.C [21-873](#) Planning Commission 2022 Calendar of Meetings

Recommendation: Approve the Planning Commission 2022 Calendar of Meetings.

1.D [21-911](#) Action on Variances to minimum interior side yard and rear yard building setbacks at 794 Park Court

Recommendation: Alternative : 1: Adopt a Resolution making the necessary findings and approving the Variances to allow substandard interior side and rear yard buildings setbacks at 794 Park Court, subject to conditions.

1.E [21-1117](#) Action on a Variance to the minimum side corner yard building setback at 343 Kellogg Way

Recommendation: Alternative 1: Adopt a Resolution making the necessary findings and approving the Variance to allow a substandard side corner yard buildings setback at 343 Kellogg Way, subject to conditions.

PUBLIC PRESENTATIONS

None.

PUBLIC HEARING

2. [21-7984](#) Use Permit to allow construction of a 396-room hotel, on-site Alcohol Beverage sales (Type 47 license) and live indoor music entertainment at 312 Brokaw Road and 1240 and 1290 Coleman Avenue

Recommendation: Adopt a Resolution to approve a Use Permit to allow a new 396-room hotel and on-site Alcohol Beverage sales (Type 47 license) and live indoor music entertainment located at 312 Brokaw Road and 1240 and 1290 Coleman Avenue.

Associate Planner Debby Fernandez provided the staff presentation. **Kurt Jensen** and **UK Kang, Jensen Fey Architects**, provided the applicant presentation. Commissioners asked questions regarding the traffic analysis, how the MND conclusion was drawn, comparisons with recent hotel constructions in the City, EV charging, shuttle service, public art, parking, and building height. Commissioners voiced their support for the live entertainment aspect of the project. **Gary Black, Hexagon Transportation Consultants; Environmental Consultant Doug Herring; Bradley Wagstaff, Mogul Hospitality Partners**, from the applicant team and **Development Review Officer Gloria Sciara** answered questions from the Commission.

Public Speaker(s): Mark Ferrari
Michael Lozeau

Bradley Wagstaff, Mogul Hospitality Partners, responded to the concerns of the first public speaker regarding parking. **Assistant City Attorney Alexander Abbe** responded to the comments from the second public speaker regarding emissions of formaldehyde and bird strikes.

A motion was made by Commissioner Ikezi, seconded by Commissioner Herro to close public hearing.

Aye: 6 - Chair Biagini, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Excused: 1 - Vice Chair Cherukuru

A motion was made by Commissioner Ikezi, seconded by Commissioner Saleme to adopt the resolution for the MND and MMRP.

Aye: 6 - Chair Biagini, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Excused: 1 - Vice Chair Cherukuru

A motion was made by Commissioner Huang, seconded by Commissioner Herro to adopt a resolution to approve a use permit to allow the construction of a 396-room hotel, on-site Alcohol Beverage sales (Type 47 license) and live indoor music entertainment located at 312 Brokaw Road, 1240 Coleman Avenue and 1290 Coleman Avenue.

Aye: 6 - Chair Biagini, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Excused: 1 - Vice Chair Cherukuru

- 3. [21-986](#) Action on a Use Permit for Agape Playschool / Learning Center to allow outdoor activity associated with a child daycare facility at 3700 Thomas Road

Recommendation: Adopt a Resolution to approve a Use Permit to allow outdoor activity associated with a child day care facility at 3700 Thomas Road.

The meeting went into recess at 8:02 p.m. and reconvened at 8:10 p.m.

Associate Planner Debby Fernandez provided the staff presentation. **Adlin Netto, Agape Playschool**, provided the applicant presentation. The Commissioners had safety concerns and asked questions regarding the fence, air quality, noise, location, and poles to stop cars. **Applicant Adlin Netto** and **Architect ,K+ Designs**, answered the Commission's questions. The Commission recommended that the applicant return at a later time with a design that included more safety mitigation measures.

A motion was made by Commissioner Saleme, seconded by Commissioner Huang to close public hearing.

Aye: 6 - Chair Biagini, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Excused: 1 - Vice Chair Cherukuru

The applicant provided a rebuttal. Commissioner Herro made a motion with a friendly amendment that was later withdrawn. The Commission spent time trying to formulate a motion and ultimately decided to continue the item due to the number of modifications they requested and concerns that were discussed.

A motion was made by Commissioner Saleme, seconded by Commissioner Huang to continue Item 3 to the October 27, 2021 Planning Commission meeting.

Aye: 6 - Chair Biagini, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Excused: 1 - Vice Chair Cherukuru

4. [21-995](#) Action on a Variance Request for a Reduced Side Setback and Substandard Interior Garage Width, and Increased Lot Coverage in Conjunction with the Proposed First and Second Story Addition at 3467 Golden State Drive

Recommendation: 1. Adopt a resolution denying the request for a variance.

A motion was made by Commissioner Huang, seconded by Commissioner Herro to close public hearing.

Aye: 6 - Chair Biagini, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Excused: 1 - Vice Chair Cherukuru

Associate Planner Nimisha Agrawal provided the staff presentation. **Applicants Sullivan Santos and Bill Herrera** briefly spoke regarding the project.

The Commission expressed support for the staff recommendation and voiced concerns regarding the large size of the proposed changes to the home in relation to the lot size.

A motion as made by Commissioner Bhatnagar, seconded by Commissioner Huang to approve staff recommendation.

Aye: 6 - Chair Biagini, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Excused: 1 - Vice Chair Cherukuru

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items

None.

2. Commissioner Travel and Training Reports, Requests to attend Trainings

Commissioner Ikezi suggested holding a training for the new Commissioners to introduce them to Planning Commission topics. **Planning Manager Reena Brilliot** informed the Commission that there is an APA conference upcoming in September.

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

1. Planning Commission Budget Update

OSIV Elizabeth Elliott provided an update on the Planning Commission budget.

A motion was made by Commissioner Saleme, seconded by Commissioner Huang to expend funds for Commissioners to attend the upcoming California APA Conference, September 13 - September 15, 2021.

Aye: 6 - Chair Biagini, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Absent: 1 - Vice Chair Cherukuru

2. Upcoming Agenda Items

Planning Manager Reena Brilliot informed the Commission that the Zoning Code Update Study Session would be pushed back to mid-October and reminded the Commission about the September 9, 2021 Joint Study Session with the City Council and the Downtown Community Task Force regarding Form Based Code.

3. City Council Actions

Development Review Officer Gloria Sciara updated the Commission regarding recent City Council actions.

ADJOURNMENT:

A motion was made by Commissioner Huang, seconded by Commissioner Bhatnagar to adjourn the meeting.

The meeting adjourned at 10:22 p.m.

The next regular scheduled meeting is on Wednesday, September 22, 2021.

Aye: 6 - Chair Biagini, Commissioner Herro, Commissioner Huang, Commissioner Ikezi, Commissioner Saleme, and Commissioner Bhatnagar

Excused: 1 - Vice Chair Cherukuru

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If a member of the public submits a speaker card for any agenda items, their name will appear in the Minutes. If no speaker card is submitted, the Minutes will reflect "Public Speaker."

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